

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jun 21, 2017

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Ronnie T. Simms Case Number: 0980 2:14CR00021-RMP-7
Address of Offender: [REDACTED] Spokane, Washington 99207
Name of Sentencing Judicial Officer: The Honorable Rosanna Malouf Peterson, U.S. District Judge
Date of Original Sentence: April 21, 2015
Original Offense: Distributon of Oxycodone Hydrochloride, 21 U.S.C. § 841(a)(1) and (b)(1)(C)
Original Sentence: Prison - 10 months; Type of Supervision: Supervised Release
TSR - 3 years
Amended Sentence Prison - 264 days;
(May 27, 2015) TSR - 3 years
Asst. U.S. Attorney: James A. Goeke Date Supervision Commenced: May 28, 2015
Defense Attorney: Jill Gannon-Nagle Date Supervision Expires: May 27, 2018

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on the petitions dated 04/19/2017, and 5/23/2017, AND TO REQUEST A SUMMONS.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

3 **Mandatory Condition # 4:** The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the Court.

Supporting Evidence: On May 29, 2015, Mr. Ronnie Simms signed his conditions relative to case number 2:14CR00021-RMP-7, indicating he understood all conditions as ordered by the Court. Specifically, Mr. Simms was made aware by his U.S. probation officer that he was required to refrain from the use of illegal controlled substances. Mr. Simms was informed that based on his history of drug use and his conditions as ordered by the Court, he would be referred to random urinalysis testing at Alcohol Drug Education Prevention and Treatment (ADEPT). The process and the client's expectations related to the random testing were explained to the client and he indicated he understood.

On June 1, 2017, the undersigned officer received notification from Alcohol Drug Education Prevention and Treatment (ADEPT) that the client had presented to the facility on May 31, 2017, for random urinalysis testing as required and had submitted a urinalysis sample for

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testing that proved presumptive positive for cocaine. Mr. Simms again denied any use of the substance and a drug use admission form was received from the vendor in which the client denied any use of the substance.

On June 2, 2017, the undersigned officer received notification from ADEPT that the client had presented to the facility on June 1, 2017, for random urinalysis testing as required and had submitted a urinalysis sample for testing that proved presumptive positive for cocaine. Mr. Simms again denied any use of the substance and a drug use admission form was received from the vendor in which the client denied any use of the substance.

On June 5 and 6, 2017, respectively, confirmation reports were received from Alere Toxicology in which both aforementioned urinalysis samples were confirmed as being positive for cocaine.

On June 9, 2017, Mr. Simms reported to U.S. Probation and provided a urinalysis sample for testing that was again presumptive positive for cocaine. Mr. Simms denied use and the sample was forwarded to Alere Toxicology for confirmation. On June 19, 2017, the undersigned officer was notified by the contract laboratory that the urinalysis sample submitted by the client at U.S. Probation on June 9, 2017, had been confirmed by the contract provider as being positive for cocaine.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: June 20, 2017

s/Chris Heinen

Chris Heinen
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

6/21/2017

Date